

State of California
Business, Transportation and Housing Agency
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS
Resolutions of Necessity
Action Item

Prepared By:
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Chief
Division of Right of Way
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CTC Meeting: August 22, 2002

Reference No.: 2.4b.(2)

Original Signed By
ROBERT L. GARCIA
Chief Financial Officer
August 1, 2002

RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18631. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18631 - Equilon Enterprises dba Shell Oil Products U.S.A.

07-LA-5-PM 28.1-Parcel 77564 - EA: 051079 - Certification Date: 09/02 (Freeway) Authorizes condemnation of a temporary easement for freeway purposes, located in the city of Burbank at 181 West Alameda Avenue.